IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 124 OF 2005

MRS.JASMINE D'SOUZA AND ANR., ...Petitioners

Versus

GOA COASTAL ZONE MANAGEMENT AUTHORITY THROUGH ITS MEMBER SECRETARY AND 15 ORS., ...Respondents

Shri N.Costa Frias, Advocate for the Petitioners.

Shri S.S. Kantak, Advocate General with Ms. R. Chodankar, Addl. Govt. Advocate for Respondents No.1, 2, 3 and 5, 6 and 7.

Coram:- R. M. LODHA &
N. A. BRITTO, JJ.

Date:- 16th August, 2005

P.C.:

Heard.

In the reply affidavit filed on behalf of Respondents No.1 and 2, the following statement is made :

" 9. I say that we have issued the Show Cause Notice dated 24/03/2005 to the violators mentioned in the complaint upon receiving a legal notice dated 16/03/2005 wherein the addresses of the violators were clearly given. An opportunity has been granted to them to produce all documents in their possession with reference to the alleged illegal structures. Further, the complainant had not given addresses of the violators in his complaint dated 20/09/04 and therefore no notice could be issued to the respondents No. 12, 13, 14, 15 and 16. The Show Cause Notice also specifies that action will be taken by following the due process of law, in consonance with the Environment (Protection) Act,

1986.

10. I say that the petitioner had filed complaints to the respondent No.1, which were duly forwarded to the Dy. Collector, Bardez, Goa, for drawing panchanamas. We have received the panchanamas from the office of the Dy. Collector and accordingly the respondents were called for personal hearing on 23/07/2005. The GCZMA has given copies of Collector's report and panchanama to the violators/respondents so as to enable them to file their detailed objections. I say that we will complete the enquiry within 2 months and action will be taken in accordance with law. "

We accept this statement and in view thereof, we are satisfied that no further consideration is required in the petition. We may however observe that in the inquiry initiated against the violators, if the petitioners intend to intervene and put forth their point of view, the petitioners too shall be heard in the said inquiry.

With the aforesaid observations, Writ Petition is disposed of.

R. M. LODHA, J.

N. A. BRITTO, J.